

ASSEMBLY BILL

No. 979

Introduced by Assembly Member Sharon Runner

February 18, 2005

An act to amend Sections 13352 and 14602.6 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 979, as introduced, Sharon Runner. Driving under the influence: restricted driver's license.

(1) Existing law requires the Department of Motor Vehicles to immediately suspend, revoke, or record the court-administered suspension or revocation of, the privilege of a person to operate a motor vehicle upon receipt of an abstract of the record of a court showing that the person has been convicted of specified provisions prohibiting driving under the influence (DUI). Existing law prohibits the reinstatement of that privilege until the person has complied with certain conditions and requires a person convicted of repeated DUI offenses to have his or her privilege suspended for a period ranging from 2 to 5 years. After completion of 12 to 30 months of the suspension or revocation period, depending upon the particular offense and punishment, the department is required to advise the person that the person may apply to, and be granted, a restricted driver's license which is subject to specified conditions, including installing and maintaining an ignition interlock device.

This bill would apply the above provisions governing the issuance of restricted drivers' licenses to the above persons after completion of 12 months of the suspension or revocation period in all cases, rather than the current 12 to 30 month range.

(2) Existing law authorizes a peace officer to either immediately arrest a person and cause the removal and seizure of the vehicle he or she was operating or, if the vehicle is involved in a traffic collision, cause the removal and seizure of the vehicle, without the necessity of arresting the person, if the peace officer determines that the person was driving the vehicle while his or her driving privilege was suspended or revoked or without having been issued a license. Existing law requires the vehicle to be impounded for 30 days, but allows for the vehicle to be released prior to the end of that 30 days under specified circumstances.

This bill would, additionally, apply the above impoundment procedure to a person who is driving in violation of a driver's license restriction requiring that person to operate a vehicle that is equipped with a functioning, certified ignition interlock device.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13352 of the Vehicle Code, as added by
2 Section 1.5 of Chapter 595 of the Statutes of 2004, is amended to
3 read:

4 13352. (a) The department shall immediately suspend or
5 revoke the privilege of a person to operate a motor vehicle upon
6 the receipt of an abstract of the record of any court showing that
7 the person has been convicted of a violation of Section 23152 or
8 23153 or subdivision (a) of Section 23109, or upon the receipt of
9 a report of a judge of the juvenile court, a juvenile traffic hearing
10 officer, or a referee of a juvenile court showing that the person
11 has been found to have committed a violation of Section 23152
12 or 23153 or subdivision (a) of Section 23109. If any offense
13 specified in this section occurs in a vehicle defined in Section
14 15210, the suspension or revocation specified below shall apply
15 to the noncommercial driving privilege. The commercial driving
16 privilege shall be disqualified as specified in Sections 15300 to
17 15302, inclusive. For the purposes of this section, suspension or
18 revocation shall be as follows:

19 (1) Except as required under Section 13352.4, upon a
20 conviction or finding of a violation of Section 23152 punishable
21 under Section 23536, the privilege shall be suspended for a

1 period of six months. The privilege may not be reinstated until
 2 the person gives proof of financial responsibility and gives proof
 3 satisfactory to the department of successful completion of a
 4 driving-under-the-influence program licensed pursuant to Section
 5 11836 of the Health and Safety Code described in subdivision (b)
 6 of Section 23538. If the court, as authorized under paragraph (3)
 7 of subdivision (b) of Section 23646, elects to order a person to
 8 enroll, participate and complete either program described in
 9 paragraph (4) of subdivision (b) of Section 23542, the
 10 department shall require that program in lieu of the program
 11 described in subdivision (b) of Section 23538. For the purposes
 12 of this paragraph, enrollment, participation, and completion of an
 13 approved program shall be subsequent to the date of the current
 14 violation. Credit may not be given to any program activities
 15 completed prior to the date of the current violation.

16 (2) Upon a conviction or finding of a violation of Section
 17 23153 punishable under Section 23554, the privilege shall be
 18 suspended for a period of one year. The privilege may not be
 19 reinstated until the person gives proof of financial responsibility
 20 and gives proof satisfactory to the department of successful
 21 completion of a driving-under-the-influence program licensed
 22 pursuant to Section 11836 of the Health and Safety Code as
 23 described in subdivision (b) Section 23556. If the court, as
 24 authorized under paragraph (3) of subdivision (b) of Section
 25 23646, elects to order a person to enroll, participate, and
 26 complete either program described in paragraph (4) of
 27 subdivision (b) of Section 23542, the department shall require
 28 that program in lieu of the program described in Section 23556.
 29 For the purposes of this paragraph, enrollment, participation, and
 30 completion of an approved program shall be subsequent to the
 31 date of the current violation. Credit may not be given to any
 32 program activities completed prior to the date of the current
 33 violation.

34 (3) Except as provided in Section 13352.5, upon a conviction
 35 or finding of a violation of Section 23152 punishable under
 36 Section 23540, the privilege shall be suspended for two years.
 37 The privilege may not be reinstated until the person gives proof
 38 of financial responsibility and gives proof satisfactory to the
 39 department of successful completion of a
 40 driving-under-the-influence program licensed pursuant to Section

1 11836 of the Health and Safety Code as described in subdivision
2 (b) of Section 23542. For the purposes of this paragraph,
3 enrollment, participation, and completion of an approved
4 program shall be subsequent to the date of the current violation.
5 Credit shall not be given to any program activities completed
6 prior to the date of the current violation. The department shall
7 advise the person that after completion of 12 months of the
8 suspension period, which may include credit for any suspension
9 period served under subdivision (c) of Section 13353.3, the
10 person may apply to the department for a restricted driver's
11 license, subject to the following conditions:

12 (A) The person has satisfactorily provided, subsequent to the
13 violation date of the current underlying conviction, either of the
14 following:

15 (i) Proof of enrollment in an 18-month
16 driving-under-the-influence program licensed pursuant to Section
17 11836 of the Health and Safety Code.

18 (ii) Proof of enrollment in a 30-month
19 driving-under-the-influence program licensed pursuant to Section
20 11836 of the Health and Safety Code, if available in the county
21 of the person's residence or employment.

22 (B) The person agrees, as a condition of the restriction, to
23 continue satisfactory participation in the program described in
24 subparagraph (A).

25 (C) The person submits the "Verification of Installation" form
26 described in paragraph (2) of subdivision (e) of Section 13386.

27 (D) The person agrees to maintain the ignition interlock device
28 as required under subdivision (g) of Section 23575.

29 (E) The person provides proof of financial responsibility, as
30 defined in Section 16430.

31 (F) The person pays all administrative fees or reissue fees and
32 any restriction fee required by the department.

33 (G) The restriction shall remain in effect for the period
34 required in subdivision (f) of Section 23575.

35 (4) Except as provided in this paragraph, upon a conviction or
36 finding of a violation of Section 23153 punishable under Section
37 23560, the privilege shall be revoked for a period of three years.
38 The privilege may not be reinstated until the person gives proof
39 of financial responsibility, and the person gives proof satisfactory
40 to the department of successful completion of a

1 driving-under-the-influence program licensed pursuant to Section
2 11836 of the Health and Safety Code, as described in subdivision
3 (b) of Section 23562. For the purposes of this paragraph,
4 enrollment, participation, and completion of an approved
5 program shall be subsequent to the date of the current violation.
6 Credit shall not be given to any program activities completed
7 prior to the date of the current violation. The department shall
8 advise the person that after the completion of ~~18~~ 12 months of
9 the revocation period, which may include credit for any
10 suspension period served under subdivision (c) of Section
11 13353.3, the person may apply to the department for a restricted
12 driver's license, subject to the following conditions:

13 (A) The person has satisfactorily completed, subsequent to the
14 violation date of the current underlying conviction, either of the
15 following:

16 (i) ~~An~~ *The initial 12 months of an* 18-month
17 driving-under-the-influence program licensed pursuant to Section
18 11836 of the Health and Safety Code.

19 (ii) The initial ~~18~~ 12 months of a 30-month
20 driving-under-the-influence program licensed pursuant to Section
21 11836 of the Health and Safety Code, if available in the county
22 of the person's residence or employment, and the person agrees,
23 as a condition of the restriction, to continue satisfactory
24 participation in that 30-month program.

25 (B) The person submits the "Verification of Installation" form
26 described in paragraph (2) of subdivision (e) of Section 13386.

27 (C) The person agrees to maintain the ignition interlock device
28 as required under subdivision (g) of Section 23575.

29 (D) The person provides proof of financial responsibility, as
30 defined in Section 16430.

31 (E) The person pays all applicable reinstatement or reissue
32 fees and any restriction fee required by the department.

33 (F) The restriction shall remain in effect for the period
34 required in subdivision (f) of Section 23575.

35 (5) Except as provided in this paragraph, upon a conviction or
36 finding of a violation of Section 23152 punishable under Section
37 23546, the privilege shall be revoked for a period of three years.
38 The privilege may not be reinstated until the person files proof of
39 financial responsibility and gives proof satisfactory to the
40 department of successful completion of one of the following

1 programs: an 18-month driving-under-the-influence program
2 licensed pursuant to Section 11836 of the Health and Safety
3 Code, as described in subdivision (b) or (c) of Section 23548, or,
4 if available in the county of the person's residence or
5 employment, a 30-month driving-under-the-influence program
6 licensed pursuant to Section 11836 of the Health and Safety
7 Code, or a program specified in Section 8001 of the Penal Code.
8 For the purposes of this paragraph, enrollment, participation, and
9 completion of an approved program shall be subsequent to the
10 date of the current violation. Credit shall not be given to any
11 program activities completed prior to the date of the current
12 violation. The department shall advise the person that after
13 completion of ~~18~~ 12 months of the revocation period, which may
14 include credit for any suspension period served under subdivision
15 (c) of Section 13353.3, the person may apply to the department
16 for a restricted driver's license, subject to the following
17 conditions:

18 (A) The person has satisfactorily completed, subsequent to the
19 violation date of the current underlying conviction, either of the
20 following:

21 (i) ~~An~~ *The initial 12 months of an* 18-month
22 driving-under-the-influence program licensed pursuant to Section
23 11836 of the Health and Safety Code.

24 (ii) The initial—~~18~~ 12 months of a 30-month
25 driving-under-the-influence program licensed pursuant to Section
26 11836 of the Health and Safety Code, if available in the county
27 of the person's residence or employment, and the person agrees,
28 as a condition of the restriction, to continue satisfactory
29 participation in the 30-month driving-under-the-influence
30 program.

31 (B) The person submits the "Verification of Installation" form
32 described in paragraph (2) of subdivision (e) of Section 13386.

33 (C) The person agrees to maintain the ignition interlock device
34 as required under subdivision (g) of Section 23575.

35 (D) The person provides proof of financial responsibility, as
36 defined in Section 16430.

37 (E) An individual convicted of a violation of Section 23152
38 punishable under Section 23546 may also, at any time after
39 sentencing, petition the court for referral to an 18-month
40 driving-under-the-influence program licensed pursuant to Section

1 11836 of the Health and Safety Code, or, if available in the
2 county of the person's residence or employment, a 30-month
3 driving-under-the-influence program licensed pursuant to Section
4 11836 of the Health and Safety Code. Unless good cause is
5 shown, the court shall order the referral.

6 (F) The person pays all applicable reinstatement or reissue
7 fees and any restriction fee required by the department.

8 (G) The restriction shall remain in effect for the period
9 required in subdivision (f) of Section 23575.

10 (6) Except as provided in this paragraph, upon a conviction or
11 finding of a violation of Section 23153 punishable under Section
12 23550.5 or 23566, the privilege shall be revoked for a period of
13 five years. The privilege may not be reinstated until the person
14 gives proof of financial responsibility and proof satisfactory to
15 the department of successful completion of one of the following
16 programs: an 18-month driving-under-the-influence program
17 licensed pursuant to Section 11836 of the Health and Safety
18 Code, as described in subdivision (b) of Section 23568 or, if
19 available in the county of the person's residence or employment,
20 a 30-month driving-under-the-influence program licensed
21 pursuant to Section 11836 of the Health and Safety Code, or a
22 program specified in Section 8001 of the Penal Code. For the
23 purposes of this paragraph, enrollment, participation, and
24 completion of an approved program shall be subsequent to the
25 date of the current violation. Credit shall not be given to any
26 program activities completed prior to the date of the current
27 violation. The department shall advise the person that after the
28 completion of ~~30~~ 12 months of the revocation period, which may
29 include credit for any suspension period served under subdivision
30 (c) of Section 13353.3, the person may apply to the department
31 for a restricted driver's license, subject to the following
32 conditions:

33 (A) The person has satisfactorily completed, subsequent to the
34 violation date of the current underlying conviction, either of the
35 following:

36 (i) The initial—~~18~~ 12 months of a 30-month
37 driving-under-the-influence program licensed pursuant to Section
38 11836 of the Health and Safety Code, if available in the county
39 of the person's residence or employment, and the person agrees,
40 as a condition of the restriction, to continue satisfactory

1 participation in the 30-month driving-under-the-influence
2 program.

3 (ii) ~~An~~ *The initial 12 months of an* 18-month
4 driving-under-the-influence program licensed pursuant to Section
5 11836 of the Health and Safety Code, if a 30-month program is
6 unavailable in the person's county of residence or employment.

7 (B) The person submits the "Verification of Installation" form
8 described in paragraph (2) of subdivision (e) of Section 13386.

9 (C) The person agrees to maintain the ignition interlock device
10 as required under subdivision (g) of Section 23575.

11 (D) The person provides proof of financial responsibility, as
12 defined in Section 16430.

13 (E) Any individual convicted of a violation of Section 23153
14 punishable under Section 23566 may also, at any time after
15 sentencing, petition the court for referral to an 18-month
16 driving-under-the-influence program or, if available in the county
17 of the person's residence or employment, a 30-month
18 driving-under-the-influence program licensed pursuant to Section
19 11836 of the Health and Safety Code. Unless good cause is
20 shown, the court shall order the referral.

21 (F) The person pays all applicable reinstatement or reissue
22 fees and any restriction fee required by the department.

23 (G) The restriction shall remain in effect for the period
24 required in subdivision (f) of Section 23575.

25 (7) Except as provided in this paragraph, upon a conviction or
26 finding of a violation of Section 23152 punishable under Section
27 23550 or 23550.5, or Section 23153 punishable under Section
28 23550.5 the privilege shall be revoked for a period of four years.
29 The privilege may not be reinstated until the person gives proof
30 of financial responsibility and proof satisfactory to the
31 department of successful completion of one of the following
32 programs: an 18-month driving-under-the-influence program
33 licensed pursuant to Section 11836 of the Health and Safety
34 Code, or, if available in the county of the person's residence or
35 employment, a 30-month driving-under-the-influence program
36 licensed pursuant to Section 11836 of the Health and Safety
37 Code, or a program specified in Section 8001 of the Penal Code.
38 For the purposes of this paragraph, enrollment, participation, and
39 completion of an approved program shall be subsequent to the
40 date of the current violation. Credit shall not be given to any

1 program activities completed prior to the date of the current
2 violation. The department shall advise the person that after the
3 completion of ~~24~~ 12 months of the revocation period, which may
4 include credit for any suspension period served under subdivision
5 (c) of Section 13353.3, the person may apply to the department
6 for a restricted driver's license, subject to the following
7 conditions:

8 (A) The person has satisfactorily completed, subsequent to the
9 violation date of the current underlying conviction, either of the
10 following:

11 (i) ~~An~~ *The initial 12 months of an* 18-month
12 driving-under-the-influence program licensed pursuant to Section
13 11836 of the Health and Safety Code.

14 (ii) The initial ~~18~~ 12 months of a 30-month
15 driving-under-the-influence program licensed pursuant to Section
16 11836 of the Health and Safety Code, if available in the county
17 of the person's residence or employment, and the person agrees,
18 as a condition of the restriction, to continue satisfactory
19 participation in the 30-month driving-under-the-influence
20 program.

21 (B) The person submits the "Verification of Installation" form
22 described in paragraph (2) of subdivision (e) of Section 13386.

23 (C) The person agrees to maintain the ignition interlock device
24 as required under subdivision (g) of Section 23575.

25 (D) The person provides proof of financial responsibility, as
26 defined in Section 16430.

27 (E) An individual convicted of a violation of Section 23152
28 punishable under Section 23550 may also, at any time after
29 sentencing, petition the court for referral to an 18-month
30 driving-under-the-influence program or, if available in the county
31 of the person's residence or employment, a 30-month
32 driving-under-the-influence program licensed pursuant to Section
33 11836 of the Health and Safety Code. Unless good cause is
34 shown, the court shall order the referral.

35 (F) The person pays all applicable reinstatement or reissue
36 fees and any restriction fee required by the department.

37 (G) The restriction shall remain in effect for the period
38 required in subdivision (f) of Section 23575.

39 (8) Upon a conviction or finding of a violation of subdivision
40 (a) of Section 23109 that is punishable under subdivision (e) of

1 that section, the privilege shall be suspended for a period of 90
2 days to six months, if ordered by the court. The privilege may not
3 be reinstated until the person gives proof of financial
4 responsibility, as defined in Section 16430.

5 (9) Upon a conviction or finding of a violation of subdivision
6 (a) of Section 23109 that is punishable under subdivision (f) of
7 that section, the privilege shall be suspended for a period of six
8 months, if ordered by the court. The privilege may not be
9 reinstated until the person gives proof of financial responsibility,
10 as defined in Section 16430.

11 (b) For the purpose of paragraphs (2) to (9), inclusive, of
12 subdivision (a), the finding of the juvenile court judge, the
13 juvenile hearing officer, or the referee of a juvenile court of a
14 commission of a violation of Section 23152 or 23153 or
15 subdivision (a) of Section 23109, as specified in subdivision (a)
16 of this section, is a conviction.

17 (c) A judge of a juvenile court, juvenile hearing officer, or
18 referee of a juvenile court shall immediately report the findings
19 specified in subdivision (a) to the department.

20 (d) A conviction of an offense in any state, territory, or
21 possession of the United States, the District of Columbia, the
22 Commonwealth of Puerto Rico, or Canada that, if committed in
23 this state, would be a violation of Section 23152, is a conviction
24 of Section 23152 for purposes of this section, and a conviction of
25 an offense that, if committed in this state, would be a violation of
26 Section 23153, is a conviction of Section 23153 for purposes of
27 this section. The department shall suspend or revoke the privilege
28 to operate a motor vehicle pursuant to this section upon receiving
29 notice of that conviction.

30 (e) For the purposes of the restriction conditions specified in
31 paragraphs (3) to (7), inclusive, of subdivision (a), the
32 department shall terminate the restriction imposed pursuant to
33 this section and shall suspend or revoke the person's driving
34 privilege upon receipt of notification from the
35 driving-under-the-influence program that the person has failed to
36 comply with the program requirements. The person's driving
37 privilege shall remain suspended or revoked for the remaining
38 period of the original suspension or revocation imposed under
39 this section and until all reinstatement requirements described in
40 this section are met.

1 (f) For the purposes of this section, completion of a program is
2 the following:

3 (1) Satisfactory completion of all program requirements
4 approved pursuant to program licensure, as evidenced by a
5 certificate of completion issued, under penalty of perjury, by the
6 licensed program.

7 (2) Certification, under penalty of perjury, by the director of a
8 program specified in Section 8001 of the Penal Code, that the
9 person has completed a program specified in Section 8001 of the
10 Penal Code.

11 (g) The holder of a commercial driver's license who was
12 operating a commercial motor vehicle, as defined in Section
13 15210, at the time of a violation that resulted in a suspension or
14 revocation of the person's noncommercial driving privilege
15 under this section is not eligible for the restricted driver's license
16 authorized under paragraphs (3) to (7), inclusive, of subdivision
17 (a).

18 ~~(h) This section shall become operative on September 20,~~
19 ~~2005.~~

20 SEC. 2. Section 14602.6 of the Vehicle Code is amended to
21 read:

22 14602.6. (a) (1) Whenever a peace officer determines that a
23 person was driving a vehicle while his or her driving privilege
24 was suspended or revoked, *driving a vehicle while his or her*
25 *driving privilege is restricted pursuant to Section 13352 or*
26 *23575 and the vehicle is not equipped with a functioning,*
27 *certified interlock device, or driving a vehicle* without ever
28 having been issued a driver's license, the peace officer may
29 either immediately arrest that person and cause the removal and
30 seizure of that vehicle or, if the vehicle is involved in a traffic
31 collision, cause the removal and seizure of the vehicle, without
32 the necessity of arresting the person in accordance with Chapter
33 10 (commencing with Section 22650) of Division 11. A vehicle
34 so impounded shall be impounded for 30 days.

35 ~~The~~

36 (2) *The* impounding agency, within two working days of
37 impoundment, shall send a notice by certified mail, return receipt
38 requested, to the legal owner of the vehicle, at the address
39 obtained from the department, informing the owner that the
40 vehicle has been impounded. Failure to notify the legal owner

1 within two working days shall prohibit the impounding agency
2 from charging for more than 15 days' impoundment when the
3 legal owner redeems the impounded vehicle. The impounding
4 agency shall maintain a published telephone number that
5 provides information 24 hours a day regarding the impoundment
6 of vehicles and the rights of a registered owner to request a
7 hearing.

8 (b) The registered and legal owner of a vehicle that is removed
9 and seized under subdivision (a) or their agents shall be provided
10 the opportunity for a storage hearing to determine the validity of,
11 or consider any mitigating circumstances attendant to, the
12 storage, in accordance with Section 22852.

13 (c) Any period in which a vehicle is subjected to storage under
14 this section shall be included as part of the period of
15 impoundment ordered by the court under subdivision (a) of
16 Section 14602.5.

17 (d) (1) An impounding agency shall release a vehicle to the
18 registered owner or his or her agent prior to the end of 30 days'
19 impoundment under any of the following circumstances:

20 (A) When the vehicle is a stolen vehicle.

21 (B) When the vehicle is subject to bailment and is driven by an
22 unlicensed employee of a business establishment, including a
23 parking service or repair garage.

24 (C) When the license of the driver was suspended or revoked
25 for an offense other than those included in Article 2
26 (commencing with Section 13200) of Chapter 2 of Division 6 or
27 Article 3 (commencing with Section 13350) of Chapter 2 of
28 Division 6.

29 (D) When the vehicle was seized under this section for an
30 offense that does not authorize the seizure of the vehicle.

31 (E) When the driver reinstates his or her driver's license or
32 acquires a driver's license and proper insurance.

33 (2) No vehicle shall be released pursuant to this subdivision
34 without presentation of the registered owner's or agent's
35 currently valid driver's license to operate the vehicle and proof of
36 current vehicle registration, or upon order of a court.

37 (e) The registered owner or his or her agent is responsible for
38 all towing and storage charges related to the impoundment, and
39 any administrative charges authorized under Section 22850.5.

(f) A vehicle removed and seized under subdivision (a) shall be released to the legal owner of the vehicle or the legal owner's agent prior to the end of 30 days' impoundment if all of the following conditions are met:

(1) The legal owner is a motor vehicle dealer, bank, credit union, acceptance corporation, or other licensed financial institution legally operating in this state or is another person, not the registered owner, holding a security interest in the vehicle.

(2) The legal owner or the legal owner's agent pays all towing and storage fees related to the seizure of the vehicle. No lien sale processing fees shall be charged to the legal owner who redeems the vehicle prior to the 15th day of impoundment. Neither the impounding authority nor any person having possession of the vehicle shall collect from the legal owner of the type specified in paragraph (1), or the legal owner's agent any administrative charges imposed pursuant to Section 22850.5 unless the legal owner voluntarily requested a poststorage hearing.

(3) The legal owner or the legal owner's agent presents either lawful foreclosure documents or an affidavit of repossession for the vehicle, and a security agreement or title showing proof of legal ownership for the vehicle. Any documents presented may be originals, photocopies, or facsimile copies, or may be transmitted electronically. The impounding agency shall not require any documents to be notarized. The impounding agency may require the agent of the legal owner to produce a photocopy or facsimile copy of its repossession agency license or registration issued pursuant to Chapter 11 (commencing with Section 7500) of Division 3 of the Business and Professions Code, or to demonstrate, to the satisfaction of the impounding agency, that the agent is exempt from licensure pursuant to Section 7500.2 or 7500.3 of the Business and Professions Code.

No administrative costs authorized under subdivision (a) of Section 22850.5 shall be charged to the legal owner of the type specified in paragraph (1), who redeems the vehicle unless the legal owner voluntarily requests a poststorage hearing. No city, county, city or county, or state agency shall require a legal owner or a legal owner's agent to request a poststorage hearing as a requirement for release of the vehicle to the legal owner or the legal owner's agent. The impounding agency shall not require any documents other than those specified in this paragraph. The

1 impounding agency shall not require any documents to be
2 notarized.

3 As used in this paragraph, “foreclosure documents” means an
4 “assignment” as that term is defined in subdivision (o) of Section
5 7500.1 of the Business and Professions Code.

6 (g) (1) A legal owner or the legal owner’s agent that obtains
7 release of the vehicle pursuant to subdivision (f) may not release
8 the vehicle to the registered owner of the vehicle or any agents of
9 the registered owner, unless the registered owner is a rental car
10 agency, until after the termination of the 30-day impoundment
11 period.

12 (2) The legal owner or the legal owner’s agent may not
13 relinquish the vehicle to the registered owner until the registered
14 owner or that owner’s agent presents his or her valid driver’s
15 license or valid temporary driver’s license to the legal owner or
16 the legal owner’s agent. The legal owner or the legal owner’s
17 agent shall make every reasonable effort to ensure that the
18 license presented is valid.

19 (3) Prior to relinquishing the vehicle, the legal owner may
20 require the registered owner to pay all towing and storage
21 charges related to the impoundment and any administrative
22 charges authorized under Section 22850.5 that were incurred by
23 the legal owner in connection with obtaining custody of the
24 vehicle.

25 (h) (1) A vehicle removed and seized under subdivision (a)
26 shall be released to a rental car agency prior to the end of 30
27 days’ impoundment if the agency is either the legal owner or
28 registered owner of the vehicle and the agency pays all towing
29 and storage fees related to the seizure of the vehicle.

30 (2) The owner of a rental vehicle that was seized under this
31 section may continue to rent the vehicle upon recovery of the
32 vehicle. However, the rental car agency may not rent another
33 vehicle to the driver of the vehicle that was seized until 30 days
34 after the date that the vehicle was seized.

35 (3) The rental car agency may require the person to whom the
36 vehicle was rented to pay all towing and storage charges related
37 to the impoundment and any administrative charges authorized
38 under Section 22850.5 that were incurred by the rental car
39 agency in connection with obtaining custody of the vehicle.

1 (i) Notwithstanding any other provision of this section, the
2 registered owner and not the legal owner shall remain responsible
3 for any towing and storage charges related to the impoundment,
4 any administrative charges authorized under Section 22850.5,
5 and any parking fines, penalties, and administrative fees incurred
6 by the registered owner.

7 (j) The impounding agency~~shall~~ *is* not~~be~~ liable to the
8 registered owner for the improper release of the vehicle to the
9 legal owner or the legal owner's agent provided the release
10 complies with the provisions of this section.

O